

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Luban et al.

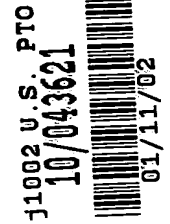
Serial No.: TBA

Group Art Unit: TBA

Filed: herewith

Examiner: TBA

For: CUSTOMER LOYALTY INVESTMENT PROGRAM SYSTEM AND METHOD Attorney Docket No.: 10031-007-999



INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. A legible copy of :
 - ☐ Each U.S. patent application publication and U.S. and foreign patent;
 - ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
 - ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
 - ☐ all other information or portion which caused it to be listed on the PTO-1449.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
- 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☒ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
 - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
 - ☐ Before the mailing of the first Office action on the merits;
 - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
 - ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement *(applicable if Item 3a or Item 4 is checked)*

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known by any

individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☒ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial No. 09/400,417, filed on September 21, 1999, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.

7. ☐ This is a Supplemental Information Disclosure Statement. *(Check either Item 7a or 7b)*

- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on _____.
- 7b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of a PTO Notice under 37 C.F.R. §1.97(i).

8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds LLP Deposit Account No. 16-1150.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date 1/11/02

Francis E. Morris 24,165
Francis E. Morris (Reg. No.)

Date 1/11/02

Dwight H. Renfrew, Jr. 38,594
By: Dwight H. Renfrew, Jr. (Reg. No.)

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LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

10031-0003-999

APPLICATION NO.

09/400,417 PTO

APPLICANT

Feidelson et al.

FILING DATE

September 21, 1999

GROUP

2761

1002 U.S. PTO
10/043621



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,991,736	11/23/99	Ferguson et al.	705	14	
	AB	5,970,480	10/19/99	Kalina	705	37	
	AC	5,924,072	07/13/99	Havens	705	1	
	AD	5,923,018	07/13/99	Kameda et al.	235	385	
	AE	5,923,016	07/13/99	Fredregill et al.	235	380	
	AF	5,915,244	06/22/99	Jack et al.	705	14	
	AG	5,915,007	06/22/99	Klapka	379	144	
	AH	5,897,620	04/27/99	Walker et al.	705	5	
	AI	5,892,827	04/06/99	Beach et al.	380	24	
	AJ	Re. 36, 116	02/23/99	McCarthy	705	16	
	AK	5,855,008	12/29/98	Goldhaber et al.	705	14	
	AL	5,832,457	11/03/98	O'Brien et al.	705	14	
	AM	5,819,228	10/06/98	Spiro	705	2	
	AN	5,806,045	09/08/98	Biorge et al	705	14	
	AO	5,794,210	08/11/98	Goldhaber et al.	705	14	
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	AQ	5,787,404	07/28/98	Fernandez-Holmann	705	35	
	AR	5,774,870	06/30/98	Storey	705	14	
	AS	5,765,141	03/09/93	Spector	705	14	
	AT	5,761,648	06/02/98	Golden et al.	705	14	
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	BA	5,716,273	02/10/98	Yuen	463	29	
	BB	5,715,403	02/03/98	Stefik	395	244	
	BC	5,715,398	02/03/98	Lubenow et al.	395	207	
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BK	5,671,334	09/23/97	Lynne	395	21
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BN	5,612,868	03/18/97	Off et al.	364	214
BO	5,537,314	07/16/96	Kanter	364	406
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BQ	5,483,444	01/09/96	Heintzeman et al.	364	401
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	CK	0 308 224	03/22/89	EP				
	CL	1 565 286	04/16/80	Great Britain				

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CM	M. Maruyama et al., "SAVEDAILY.COM Redefines personal Savings With Unprecedented Online Investment Model - Sneak Preview at Internet World in New York Official Launch, October 18, 1999 October 1, 1999
CN	G. Colter, "Smart Money Hesitates Before Fidelity Offer - New Credit Card Helps Users Purchase F Funds; Buyer Beware, Some Say," B4G, The Wall Street Journal, May 27, 1994
CO	M. Mannix, "The Rebate Revolution", U.S. News & World Report, May 31, 1993.

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	CS	www.247media.com
	CT	www.alladvantage.com
	CU	www.beenz.com
	CV	www.coolsavings.com
	CW	www.cybergold.com
	CX	www.ebates.com
	CY	www.ecentives.com
	CZ	www.freeride.com
	DA	www.klickback.com
	DB	www.hotcoupons.com
	DC	www.realtimemedia.com
	DD	www.webstakes.com
	DE	www.catalinamarketing.com
EXAMINER		DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>		

Supplemental
LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

ATTY DOCKET NO
100031-003-999

APPLICATION NO
09/400,417

APPLICANT
Feidelson et al.

FILING DATE
September 21, 1999

GROUP
2162

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FLAG CODE IF APPLICABLE
	DF	6,064,985	05/16/00	Anderson	705	36	
	DG	5,956,695	09/21/99	Carrithers et al.	705	14	
	DH	5,848,396	12/08/98	Gerace	705	10	
	DI	5,724,424	03/03/98	Gifford	380	24	
	DJ	5,715,314	02/03/98	Payne et al.	380	24	
	DK	5,708,780	01/13/98	Levergood et al.	395	200.12	
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	DR	WO 94/04979	03/03/94	PCT			
	DS	WO 98/38562	09/03/98	PCT			
	DT	WO 99/49405	09/30/99	PCT			
	DU						

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	DV	"They're Your eyeballs - Own them!", http://mvownempire.com/ , May 24, 1999.
	DW	
	DX	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.